K.S.P. 1815.

1947.

File No. B. Cotton Control/47

Leg. **DEPARTMENT**

B **BRANCH**

Subject:—

A Bill to amend the Bombay Cotton Control Act, 1942 and to re-enact certain provisions of the said Act as amended to amend the said Act.

L. A. Bill ~~No.~~ No. LIV of 1945

Bombay Act No. LXIII of 1947.

P. 19
C.

File No. B. Cotton Control/47
Std. Sectt. Slip 24 B e.

595-B

C O N T E N T S.

Legal Department File No. B. Cotton Control/47.

SR. No.	Compilation No.	Subject.	Pages.
		A Bill to repeal the Bombay Cotton Control Act, 1942 and to re-enact certain provisions of the said Act, and to amend the said Act.	
1.	URL to R.C.D.No 236 dt. 10th January 1947.	Draft Bill	1 - 2
2.	URL to A.R.D. No. 8144 dt. 7th August 1947	Revised Draft Bill	3 - 4
3.	G.L.L.D.No. 11561 dt. 3rd December 1947.	Asking Governor's Assent	5 - 8
4.	L.D.R.I.No. 16370 dt. 20th December 1947.	Repugnancy of the Bill	9 - 10
5.	G.R.L.D.No. 82 Ldt.1st October 1947.	Publication of the Bill.	11 - 16
6.	G.R.L.D.No. 1010 dt. 29th January 1948.	Publication of the Act.	17 - 22.
7.	L.D.R.D.No. 1168 dt. 30th January 1948.	Governor's General's Assent.	23 - 24.
8.	----------	Copies of Bill, Act & Debate.	25 - 34.

E.K.N.10/5/56.

S C.

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K.S.R.

145.

Office of the R.L.A.

The requisite draft Bill is sent herewith.

2. It is presumed that it is not intended to restrict the meaning of the term "factory" as defined in the Factories Act, 1934.

3. Reconstruction Department is requested to consider whether it is necessary to make provision for preserving the register for a certain number of years. (Cf. section 3(4) of Cotton Ginning and Pressing Factories Act, 1925).

4. The subject-matter of the Bill falls under entries 20, 27 and 37 in the Provincial Legislative List in the Seventh Schedule to the Government of India Act, 1935. The Bill also relates to entries 2 and 5 in the concurrent Legislative List in the said Seventh Schedule. The provisions of section 8(3) of the Bombay Cotton Control Act, 1942, which are proposed to be re-enacted, are repugnant to the provisions of the Indian Evidence Act, 1872, which is an existing Indian law relating to entry 5 in the Concurrent Legislative List. The Bill will, therefore, have to be reserved for the consideration of the Governor General with reference to section 107(2) of the Government of India Act, 1935. The Bill does not require any sanction or recommendation or affect any special responsibility of the Governor under section 52(1) of the said Act.

E.K.N.10/3/46.

4 C.

5. The Reconstruction Department will no doubt attach the requisite Statement of Objects and Reasons to the Bill.

6. Before any measure for legislation is sent to the R.L.A. for scrutiny it is necessary in the first instance to submit the papers to H.E. under paragraph 2(1) (p) of the Scretary to the Governor's Circular No.12/1, dated the 10th May 1937. Under Instruction 24 of the Instructions issued under the Rules of Business the case is then to be brought before the Council of Ministers. When the Council decides in favour of the legislation the papers are to be preferred to the R.L.A. under Instruction 25 for preparing the draft Bill. In this connection attention of the Reconstruction Department is invited to political and Services Department Circular dated 23rd May 1938 and Political and Services Department Circular No.996 dated 3rd September 1938.

(sd) D.V. Vyas.

Remembrancer of Legal Affairs.

U.R. to R.C.D.No., 286 dated the 10th January 1947.

Office of the R.L.A.

A revised draft Bill and revised Statement of Objects and Reasons are sent herewith.

(sd) D.V. Vyas.

Remembrancer of Legal Affairs.

E.K.N.10/5/56. U.R. to A.R.D.Deptt.No-3144 dated the 7th August 1947

No.11561.

Legal Department,

Bombay Castle, 3rd December 1947.

From

P.N. Lad, Esquire, I. C. S.,

Secretary to the Government of Bombay.

To

The Private Secretary to the Governor of Bombay.

Subject: A Bill to repeal and re-enact the Bombay Cotton Control Act, 1942.

Sir,

With reference to section 75 of the Government of India Act, 1935, I am directed to forward herewith for being presented to His Excellency the Governor, the authentic copy of the Bill to repeal and re-enact the Bombay Cotton Control Act, 1942, which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative council held on the 16th and the 20th October 1947, respectively.

2. The subject-matter of the Bill falls under entries 20, 27 and 37 in List II and entries 2 and 5 in List III in the Seventh Schedule to the Government of India Act, 1935.

3. The provisions of section 8(3) of the Bombay Cotton Control Act, 1942, which are being re-enacted, are repugnant to the provisions of the Indian Evidence Act, 1872, which is an existing law relating to entry 5 in the concurrent Legislative List. It is, therefore, necessary to reserve the Bill for the consideration of the Governor-General with

with.....

reference to section 107 (2) of the Government of India Act, 1935.

4. I also forward herewith six copies of each of

1. Bill as introduced in the Bombay Legislative Assembly with the Statement of objects and Reasons.	the items Nos. 1 to 3 and two copies of
2. Bill as read for the third time and passed by the Bombay Legislative Assembly and as introduced in the Bombay Legisl tive Council.	item No.4 of the papers noted in the margin.
3. Bill as read for the third time and passed by the Bombay Legislative Council.	The Bill was not
4. Extracts from the proceedings of the Bombay Legislative Assembly dated the 16th October 1947 and of the Bombay Legislative Council dated the 20th October 1947.	referred to a select Committee.

I have the honour to be,

Sir,

Your most obedient Servant,

(Sd) ~~D.V.Vyas.~~ P.M.L

Secretary to Government.

Through

The Secretary to the Government of Bombay,

Reconstruction Department.

PSG.5342.
Offices of the Governor's Secretary
Government House,
Bombay, 19th December 1947.

From

L.E.Bagshawe, Esquire, I.C.S.
Private Secretary to the Governor of Bombay.

To

The Secretary the Bombay Legislature Department,
Council Hall, Bombay.

Subject: Bombay Cotton Control (Repeal and Re.enactment Bill, 1947.

Sir,

With reference to the above mentioned Bill which was read for the third time and passed at the meetin s of the Bombay Legislative Assembly and the Bombay Legislative Council on the 16th and 20th October 1947, respectively, I am directed to state, for the information of the Honourable the Speaker and the Honourable the President, that as the provisions of section 6(3) of the Bombay Cotton Control Act, 1942, which are being re-enacted a.e repugnant to the provisions of the Indian Evidence Act, 1872, which is an existing law relating to entry 5 in the concurrent Legislative List, it is necessary to reserve the Bombay Cotton Control (Repeal and Re.enactment Bill 1947, for the consideration of His Excellent the Governor-General with reference to section 107(2) of the Government of India Act, 1935. His Excellency the Governor is accordingly pleased, under section 75 of the Government of India Act, 1935, to declare that the reserves the Bill for the consideration of His Excellency the Governor-General.

Yours obedient servant,

(sd) L.E. Bagshawe,
Private Secretary to the Governor of Bombay.

No.PSG.5343.
Bombay, 19 December 1947.

Copy forwarded with compliments for Information to:-

(1) The Secretary to Government, Legal Department, with reference to his letter No.11561, dated the 3rd December 1947.

(2) The Secretary to Government, Agriculture and Rural Development Department, with reference to His endorsement No. 1543/35825-B dated 12th December 1947.

By order of the Governor of Bombay,

(sd)

Private Secretary to the Governor of Bombay.

E.K.N.10/3/56.

4C.

Bills.

A Bill to repeal and re-enact the Bombay Cotton Control Act, 1942.

GOVERNMENT OF BOMBAY.

Legal Department.

Resolution.No.82.1

Council Hall Poona, 1st October 1947.

Memorandum from the Agriculture and Rural Development Department No. 1548-B, dated the 23rd September 1947--Transferring for necessary action, the papers relating to a Bill to repeal and re-enact the Bombay Cotton Control Act, 1942.

RESOLUTION:- The Bill with the Statement of Objects and Reasons should be forwarded to the Manager, Government Central Press, Bombay, for publication in the Bombay Government Gazettee, dated the 2nd October 1947, as Bill No.LIV of 1947.

2. The Bill and the Statement of Objects and Reasons should be transalted into Marathi, Gujarati, Kannada and Hindustrani (in Urdu and Devnagari scripts) and the translations should be published in the Bombay Government Gazettee, on the 7th October 1947.

3. The dates of the various publications should be reported to the Bombay Legislature Department.

By order of the Governor of Bombay.

(sd) S.B.Palekar,
Deputy Secretary to Government.

To

The Manager, Government Central Press, Bombay (with the Bill and Statement of Objects and Reasons and with a request that 280 Gazettee copies of the Bill and the Statement of Objects and Reasons may be forwarded to the Bombay Legislature Department for distribution to the members of the Bombay Legislative Assembly and 25 copies for the use of the Legal Department and 20 copies for the use of the Agriculture and Rural Development. 100 copies of the Bill in English and in each of the regional languages should be kept in stock at the Government Book Depot for sale to the public.

The Agriculture and Rural Development Department.) With a copy
The Oriental Translator to Government.) of the Bill and
The Bombay Legislature Department.) statement of
The Director of Publicity, Bombay.) objects and
) Reasons.

With five extra copies of the Bill.

B.K.N.10/5/56.
4 C.

Acts.

Publication of the Bombay Cotton Control (Repeal and Re.enactment) Act, 1947.

GOVERNMENT OF BOMBAY,
Legal Department,
Resolution No.1010,
Bombay Castle, 29th January 1948.

Letter to the Private Secretary to the Governor, No.11561, dated the 3rd December 1947.

Letter from the Private Secretary to the Governor, No.PSG. 357, dated the 26th January 1948:-

"With reference to the correspondence ending with this office endorsement No.PSG.5843, dated the 19th December 1947, on the above subject, I am directed to inform you that in intimation has been received from the Secretary to the Government India, Ministry of Home Affairs, that His Excellency the Governor-General has assented to the Bombay Cotton Control (Repeal and Reenactment) Bill, 1947, on the 23rd January 1948.

RESOLUTION:- The law should be published as Bombay Act No.LXIII of 1947, in the Bombay Government Gazettee dated the 29th January 1948.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari scripts) and the translations should be published in the Bombay Government Gazettee.

3. A copy of the Act should be forwarded to the Agriculture and Rural Development Department with reference to the Memorandum from that Department No.1548-B, dated the 23rd September 1947.

By order of the Governor of Bombay.

(sd) S.L.CHAUDHARI.
Assistant Secretary to Government.

To

The Manager, Government Central Press, Bombay, (with a copy of the Act and with a request that 30 Gazettes Department).
The Agriculture and Rural Development Department) with a copy of
The Oriental Translator to Government,) the Act.
The Bombay Legislature Department,)
The Director of Publicity, Bombay.)
The Enquiry Officer for the Secretariat, Bombay with five extra copies of the Act.

E.K.N.10/5/56.
4C.

Bombay Act No. LXIII of 1947.

~~L. A. BILL No. LIV OF 1947.~~

An Act ~~A Bill~~ *to repeal and re-enact the Bombay Cotton Control Act, 1942.*

(As read for the third time and passed by the Legislative Assembly on the 16th October 1947.)

(As read for the third time and passed by the Legislative Council on the 20th October 1947.)

26 Geo. 5, c. 2.

Bom. XXX of 1942.

WHEREAS in view of the provisions of sub-section (*4*) of section 93 of the Government of India Act, 1935, it is expedient to repeal and re-enact the Bombay Cotton Control Act, 1942, and to amend the said Act; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Bombay Cotton Control (Repeal and Re-enactment) Act, 1947.

Bom. XXX of 1942.

Repeal and re-enactment of Bom. XXX of 1942.

2. The Bombay Cotton Control Act, 1942 (hereinafter called the said Act), is repealed and re-enacted.

Amendment of section 3 of Bom. XXX of 1942.

3. In section 3 of the said Act,—

(*1*) in clause (*a*) of sub-section (*1*), for sub-clauses (*iii*) and (*iv*) the following shall be substituted, namely:—

"(*iii*) prohibiting in such area the mixing of any standard cotton with any other standard cotton or of the variety of cotton specified in sub-clause (*ii*) with any standard cotton, and

(*iv*) prohibiting or restricting in such area the possession or use of, or trade in, any standard cotton mixed with any other standard cotton or the variety of cotton specified in sub-clause (*ii*), whether or not mixed with any standard cotton.";

(*2*) in clause (*a*) of sub-section (*2*), for sub-clauses (*iii*) and (*iv*) the following shall be substituted, namely:—

"(*iii*) prohibit in such area the mixing of any standard cotton with any other standard cotton or of the variety of cotton specified in sub-clause (*ii*) with any standard cotton, and

(*iv*) prohibit or restrict in such area the possession or use of, or trade in, any standard cotton mixed with any other standard cotton or the variety of cotton specified in sub-clause (*ii*), whether or not mixed with any standard cotton."

Insertion of new section 3A in Bom. XXX of 1942.

4. After section 3 of the said Act, the following new section shall be inserted, namely :—

Permission to factories to mix standard cotton with any other standard cotton or any prohibited variety of cotton with standard cotton.

"3A. (*1*) Notwithstanding anything contained in section 3 or any notification issued thereunder, the Provincial Government may, by notification in the *Official Gazette*, permit any standard cotton to be mixed with any other standard cotton or any prohibited variety of cotton to be mixed with any standard cotton in any factory in which cotton is manufactured into yarn or cloth :

Provided that the mixed cotton—

(*a*) is not made into fully pressed bales, and

(*b*) is used in such factory exclusively in the manufacture of yarn or cloth.

(*2*) The owner or person in charge of the factory shall maintain or cause to be maintained a register containing a daily record of cotton other than standard cotton received into and used in the factory. He shall preserve such register for a period of not less than two years from the date of the last entry made therein.

(*3*) The owner or person in charge of the factory shall produce the register maintained under sub-section (*2*) when required to do so by the Director of Agriculture (Extension and Rural Development) or any person appointed by him in this behalf."

Amendment of section 4 of Bom. XXX of 1942.

5. (*1*) Section 4 of the said Act shall be renumbered as sub-section (*1*) of that section and in sub-section (*1*) of section 4 so renumbered, for sub-clauses (*i*) and (*ii*) of clause (*b*) the following shall be substituted, namely :—

"(*i*) mixes or causes to be mixed any standard cotton with any other standard cotton or any prohibited variety of cotton with the standard cotton, or

(*ii*) possesses, uses or trades in, any standard cotton mixed with any other standard cotton or any prohibited variety of cotton, whether mixed with the standard cotton or not."

(*2*) After sub-section (*1*) of section 4 so renumbered, the following new sub-section shall be added, namely :—

'(*2*) Any owner or person in charge of a factory who—

(*a*) in contravention of the provisions of sub-section (*1*) of section 3A makes the mixed cotton

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into fully pressed bales or uses the mixed cotton otherwise than in the manufacture of yarn or cloth in his factory, or

(*b*) fails to comply with any of the provisions of sub-section (*2*) or sub-section (*3*) of section 3A,

hall, on conviction, be punishable with fine which ay extend to five hundred rupees for the first ffence and to one thousand rupees for every sub-equent offence."

Government of Bombay

LEGAL DEPARTMENT

[L. A. BILL No. LIV OF 1947.]

(As read for the third time and passed by the Legislative Assembly on the 16th October 1947.)

(As read for the third time and passed by the Legislative Council on the 20th October 1947.)

A Bill to repeal and re-enact the Bombay Cotton Control Act, 1942.

[Mr. M. P. Patil, M.L.A.

AXB Bk Hb 243—2

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

1-5/39

[To be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari scripts) and the translations to be published in the "Bombay Government Gazette". The dates of publication to be reported.]

The following Bill is published under the proviso to rule 80 of the Bombay Legislative Assembly Rules:—

L. A. BILL No. LIV OF 1947.

A Bill to repeal and re-enact the Bombay Cotton Control Act, 1942.

WHEREAS in view of the provisions of sub-section (4) of section 93 of the Government of India Act, 1935, it is expedient to repeal and re-enact the Bombay Cotton Control Act, 1942, and to amend the said Act; It is hereby enacted as follows:—

26 Geo. 5, Ch. 2.

Bom. XXX of 1942.

1. This Act may be called the Bombay Cotton Control (Repeal and Re-enactment) Act, 1947. Short title.

Bom. XXX of 1942.

2. The Bombay Cotton Control Act, 1942 (hereinafter called the said Act), is repealed and re-enacted. Repeal and re-enactment of Bom. XXX of 1942.

3. In section 3 of the said Act,— Amendment of section 3 of Bom. XXX of 1942.

(1) in clause (*a*) of sub-section (1), for sub-clauses (*iii*) and (*iv*) the following shall be substituted, namely:—

"(*iii*) prohibiting in such area the mixing of any standard cotton with any other standard cotton or the variety of cotton specified in sub-clause (*ii*) with any standard cotton, and

(*iv*) prohibiting or restricting in such area the possession or use of, or trade in, any standard cotton mixed with any other standard cotton or the variety of cotton specified in sub-clause (*ii*), whether or not mixed with any standard cotton.";

(2) in clause (*a*) of sub-section (2), for sub-clauses (*iii*) and (*iv*) the following shall be substituted, namely:—

"(*iii*) prohibit in such area the mixing of any standard cotton with any other standard cotton or the variety of cotton specified in sub-clause (*ii*) with any standard cotton, and

(*iv*) prohibit or restrict in such area the possession or use of, or trade in, any standard cotton mixed with any other standard cotton or the variety of cotton specified in sub-clause (*ii*), whether or not mixed with any standard cotton."

Insertion of new section 3A in Bom. XXX of 1942.

4. After section 3 of the said Act, the following new section shall be inserted, namely :—

Permission to factories to mix standard cotton with any other standard cotton or any prohibited variety of cotton with standard cotton.

"3A. (*1*) Notwithstanding anything contained in section 3 or any notification issued thereunder, the Provincial Government may, by notification in the *Official Gazette*, permit any standard cotton to be mixed with any other standard cotton or any prohibited variety of cotton to be mixed with any standard cotton in any factory in which cotton is manufactured into yarn or cloth :

Provided that the mixed cotton—

(*a*) is not made into fully pressed bales, and

(*b*) is used in such factory exclusively in the manufacture of yarn or cloth.

(*2*) The owner or person in charge of the factory shall maintain or cause to be maintained a register containing a daily record of cotton other than standard cotton received into and used in the factory. He shall preserve such register for a period of not less than two years from the date of the last entry made therein.

(*3*) The owner or person in charge of the factory shall produce the register maintained under sub-section (*2*) when required to do so by the Director of Agriculture (Extension and Rural Development) or any person appointed by him in this behalf."

Amendment of section 4 of Bom. XXX of 1942.

5. (*1*) Section 4 of the said Act shall be renumbered as sub-section (*1*) of that section and in sub-section (*1*) of section 4 so renumbered, for sub-clauses (*i*) and (*ii*) of clause (*b*) the following shall be substituted, namely :—

"(*i*) mixes or causes to be mixed any standard cotton with any other standard cotton or any prohibited variety of cotton with the standard cotton, or

(*ii*) possesses, uses or trades in, any standard cotton mixed with any other standard cotton or any prohibited variety of cotton, whether mixed with the standard cotton or not."

(*2*) After sub-section (*1*) of section 4 so renumbered, the following new sub-section shall be added, namely :—

"(*2*) Any owner or person in charge of a factory who—

(*a*) in contravention of the provisions of sub-section (*1*) of section 3A makes the mixed cotton

into fully pressed bales or uses the mixed cotton otherwise than in the manufacture of yarn or cloth in his factory, or

(*b*) fails to comply with any of the provisions of sub-section (*2*) or sub-section (*3*) of section 3A,

shall, on conviction, be punishable with fine which may extend to five hundred rupees for the first offence and to one thousand rupees for every subsequent offence."

STATEMENT OF OBJECTS AND REASONS

Under sub-section (*4*) of section 93 of the Government of India Act, 1935, any law made by the Governor during the section 93 regime continues to have effect until two years have elapsed from the date on which the Proclamation ceases to have effect unless sooner repealed or re-enacted by Act of the Provincial Legislature. It is considered desirable to put the Bombay Cotton Control Act, 1942, made during the section 93 regime, permanently on the Statute Book with certain modifications namely prohibiting mixing of one standard cotton with any other standard cotton and permitting factories to mix prohibited varieties of cotton or one standard cotton with any other standard cotton, provided such mixed cotton is exclusively used in the manufacture of yarn or cloth.

Dated 1st October 1947. (Signed) M. P. PATIL.

By order of the Governor of Bombay,

P. M. LAD,
Secretary to the Government of Bombay,
Legal Department.

Poona, dated the 1st October 1947.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

'37/43

L. A. BILL No. LIV OF 1947.

A Bill to repeal and re-enact the Bombay Cotton Control Act, 1942.

(As read for the third time and passed by the Legislative Assembly on the 16th October 1947.)

26 Geo. 5, Ch. 2.

Bom. XXX of 1942.

WHEREAS in view of the provisions of sub-section (*4*) of section 93 of the Government of India Act, 1935, it is expedient to repeal and re-enact the Bombay Cotton Control Act, 1942, and to amend the said Act; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Bombay Cotton Control (Repeal and Re-enactment) Act, 1947.

Bom. XXX of 1942.

Repeal and re-enactment of Bom. XXX of 1942.

2. The Bombay Cotton Control Act, 1942 (hereinafter called the said Act), is repealed and re-enacted.

Amendment of section 3 of Bom. XXX of 1942.

3. In section 3 of the said Act,—

(*1*) in clause (*a*) of sub-section (*1*), for sub-clauses (*iii*) and (*iv*) the following shall be substituted, namely:—

"(*iii*) prohibiting in such area the mixing of any standard cotton with any other standard cotton or of the variety of cotton specified in sub-clause (*ii*) with any standard cotton, and

(*iv*) prohibiting or restricting in such area the possession or use of, or trade in, any standard cotton mixed with any other standard cotton or the variety of cotton specified in sub-clause (*ii*), whether or not mixed with any standard cotton.";

(*2*) in clause (*a*) of sub-section (*2*), for sub-clauses (*iii*) and (*iv*) the following shall be substituted, namely:—

"(*iii*) prohibit in such area the mixing of any standard cotton with any other standard cotton or of the variety of cotton specified in sub-clause (*ii*) with any standard cotton, and

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(*iv*) prohibit or restrict in such area the possession or use of, or trade in, any standard cotton mixed with any other standard cotton or the variety of cotton specified in sub-clause (*ii*), whether or not mixed with any standard cotton."

Insertion of new section 3A in Bom. XXX of 1942.

4. After section 3 of the said Act, the following new section shall be inserted, namely :—

Permission to factories to mix standard cotton with any other standard cotton or any prohibited variety of cotton with standard cotton.

"3A. (*1*) Notwithstanding anything contained in section 3 or any notification issued thereunder, the Provincial Government may, by notification in the *Official Gazette*, permit any standard cotton to be mixed with any other standard cotton or any prohibited variety of cotton to be mixed with any standard cotton in any factory in which cotton is manufactured into yarn or cloth :

Provided that the mixed cotton—

(*a*) is not made into fully pressed bales, and

(*b*) is used in such factory exclusively in the manufacture of yarn or cloth.

(*2*) The owner or person in charge of the factory shall maintain or cause to be maintained a register containing a daily record of cotton other than standard cotton received into and used in the factory. He shall preserve such register for a period of not less than two years from the date of the last entry made therein.

(*3*) The owner or person in charge of the factory shall produce the register maintained under sub-section (*2*) when required to do so by the Director of Agriculture (Extension and Rural Development) or any person appointed by him in this behalf."

Amendment of section 4 of Bom. XXX of 1942.

5. (*1*) Section 4 of the said Act shall be renumbered as sub-section (*1*) of that section and in sub-section (*1*) of section 4 so renumbered, for sub-clauses (*i*) and (*ii*) of clause (*b*) the following shall be substituted, namely :—

"(*i*) mixes or causes to be mixed any standard cotton with any other standard cotton or any prohibited variety of cotton with the standard cotton, or

(*ii*) possesses, uses or trades in, any standard cotton mixed with any other standard cotton or any prohibited variety of cotton, whether mixed with the standard cotton or not."

(*2*) After sub-section (*1*) of section 4 so renumbered, the following new sub-section shall be added, namely :—

'(*2*) Any owner or person in charge of a factory who—

'(*a*) in contravention of the provisions of sub-section (*1*) of section 3A makes the mixed cotton

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into fully pressed bales or uses the mixed cotton otherwise than in the manufacture of yarn or cloth in his factory, or

(*b*) fails to comply with any of the provisions of sub-section (*2*) or sub-section (*3*) of section 3A,

shall, on conviction, be punishable with fine which may extend to five hundred rupees for the first offence and to one thousand rupees for every subsequent offence."

STATEMENT OF OBJECTS AND REASONS

Under sub-section (4) of section 93 of the Government of India Act, 1935, any law made by the Governor during the section 93 regime continues to have effect until two years have elapsed from the date on which the Proclamation ceases to have effect unless sooner repealed or re-enacted by Act of the Provincial Legislature. It is considered desirable to put the Bombay Cotton Control Act, 1942, made during the section 93 regime, permanently on the Statute Book with certain modifications namely prohibiting mixing of one standard cotton with any other standard cotton and permitting factories to mix prohibited varieties of cotton or one standard cotton with any other standard cotton, provided such mixed cotton is exclusively used in the manufacture of yarn or cloth.

Dated 1st October 1947.

M. P. PATIL.

BM Bk Hb 207—2

Government of Bombay

LEGAL DEPARTMENT

[L. A. BILL No. LIV OF 1947.]

(As read for the third time and passed by the Legislative Assembly on the 16th October 1947.)

A Bill to repeal and re-enact the Bombay Cotton Control Act, 1942.

[Mr. M. P. Patil, M.L.A.]

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.